



GAV 1646

Docket No. 49927 (71526)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Seya et al.

SERIAL NO: 09/601,371 EXAMINER: P. Mertz

FILED: December 5, 2000 GROUP: 1646

FOR: CYTOKINE INDUCERS COMPRISING M161 Ag

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date March 4, 2004

By: Lee Dunkle
Lee Dunkle

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

In accordance with the provisions of 37 C.F.R. §§1.56 and 1.97, Applicants herewith submit the publications and/or patents shown on the attached form PTO-1449, for consideration by the Examiner in connection with the examination of the above-identified patent application.

REMARKS

In accordance with the provisions of 37 C.F.R. §1.97, this statement is being filed:

- (1) within three (3) months of the Filing Date or **before the mailing date of the First Office Action** on the merits; or
- X (2) within three months of the mailing date of an Examination Report (December 19, 2003, a copy of cover sheet enclosed) issued by the **European Patent Office**; or

- (3) after the period defined in (1) but before the mailing date of a **Final Rejection or Notice of Allowance**, and the requisite Certification or fee under Rule 1.17(p), namely **\$180.00**, is included herein; or
- (4) after the mailing date of a **Final Rejection or Notice of Allowance** but before the payment of the **Issue Fee**, and the requisite Certification, petition, and petition fee are included herein.

It is respectfully requested that each of the documents shown on the attached form(s) PTO-1449 be made of record in this application. Copies of these documents (CHECK ONE):

- X are enclosed herewith; or
- have been cited in the parent application, and are thus not being resubmitted herein.

Early examination and allowance of the present application are respectfully solicited.

FEE AUTHORIZATION

Should any fees associated with the submission be required, the Commissioner is authorized to charge the missing fee to our Deposit Account, No. 04-1105. Any overpayments should be credited to said Deposit Account.

Respectfully submitted,

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Recd 29 DEC 2003

Action by.....

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Application No. 99 901 204.0 - 2107	Ref. N.79936TAC/AB	Date 19.12.2003
Applicant JAPAN SCIENCE AND TECHNOLOGY CORPORATION		

Communication pursuant to Article 96(2) EPC

The examination of the above-identified application has revealed that it does not meet the requirements of the European Patent Convention for the reasons enclosed herewith. If the deficiencies indicated are not rectified the application may be refused pursuant to Article 97(1) EPC.

You are invited to file your observations and insofar as the deficiencies are such as to be rectifiable, to correct the indicated deficiencies within a period

of 4 months

from the notification of this communication, this period being computed in accordance with Rules 78(2) and 83(2) and (4) EPC.

One set of amendments to the description, claims and drawings is to be filed within the said period on separate sheets (Rule 36(1) EPC).

Failure to comply with this invitation in due time will result in the application being deemed to be withdrawn (Article 96(3) EPC).



BOEHMERLOVA E
Primary Examiner
for the Examining Division

Enclosure(s): 6 page/s reasons (Form 2906)
Documents D5,D6